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HOWREY SIMON
ARNOLD & WHITE LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MARK R. DUCHOW

Serial No.: 09/682,876

Filed: October 26, 2001

For: SYSTEM AND METHOD FOR
PROVIDING ELECTRONIC VOUCHERS

Group Art Unit: 3622

Examiner: James W. Myhre

Atty. Dkt. No.: 05012.0003.CNUS01

DECLARATION OF JON SCHEPKE

Assistant Commissioner for Patents
Washington, D.C. 20231

I, Jon Schepke, hereby declare:

1. I am over the age of eighteen years, and, except for matters identified as being based on information and belief, have personal knowledge of the matters stated herein. If called upon to do so, I would testify as a witness to these matters.

2. All statements made herein on the basis of personal knowledge are true, and all statements made herein on the basis of information and belief are believed to be true.

3. I am Vice President of Meandaur, Inc, a Chicago-based company specializing in Internet solutions and website development located in Des Plaines, Illinois. As part of my responsibilities, I interact directly with Meandaur's clients and assist in their development projects.

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4. Sometime in January – February 2000, Mark Duchow contacted Meandaur about developing an Internet promotional website that would download electronic vouchers to potential boat buyers. Tom Voitus was given charge of the project and interacted directly with Mark during the development of the website and Tom reported to me.

5. The website was called Boatcash.com. Mr. Duchow provided us with the functional design of the website and layout of the individual web pages to be presented by the site prior to March 21, 2000. (See Exhibit A).

6. In summary, the Boatcash.com website displayed information about recreational boats. The website included a database of boat models and information. A buyer could access the website over the Internet, select a particular boat brand and model, display information about boats, enter buyer information, such as name, address (including zip code), email address, and phone number. The buyer could also receive via email an electronic voucher for a cash discount on a selected boat. The amount of the discount depended on the boat selected by the buyer. The buyer could download the voucher, print it out, and then redeem it at one of Mr. Duchow's boat stores. The voucher included restrictions so that it was only redeemable at Mr. Duchow's stores for the selected boat model. The voucher also included an expiration date so that it could only be used during certain periods.

7. Under Mr. Duchow's direction, Meandaur developed the Boatcash.com website. An invoice for Meandaur's services is attached as Exhibit B.

8. The Boatcash.com website was operational and used to promote a boat sale at Duchow's Boat Centers during April 2000.

9. Copies of the web pages and source code for the April 2000 Boatcash.com website are not reasonably available.

10. In November 2000, the Boatcash.com website was used to promote a boat sale at Duchow's Boat Centers. Copies of web pages and their corresponding source code are attached as Exhibit C. The content of some of the web pages had changed since the April 2000 version of the website, but the functionality was substantially unchanged.

11. Prior to Thanksgiving Day 2000, Mr. Duchow made Meandaur aware of the intent to modify the Boatcash.com website so that it could be used for a nationwide Internet sale of Glastron boats. The website modifications would include a database of Glastron dealerships and a software program that would select the dealer covering the territory of the buyer by comparing the zip code input by the buyer to the dealership locations identified in the dealership database. The website software would then download the electronic voucher to the buyer. The voucher indicated the location of the nearest Glastron dealer and the amount of the discount corresponding to the selected boat. A buyer could print out the voucher and take it to his local Glastron dealer for redemption. The voucher included restrictions so that it could only be redeemed at the local Glastron dealer during a specific period of time.

12. It took approximately three months of planning to re-design the website to incorporate the modifications and to receive authorization and dealership information from Glastron.

13. There were hundreds of Glastron dealerships.

14. It took approximately one month to write and test the modified website software and to populate the dealership database with information on Glastron dealers.

15. The modified website was completed and operational at least one week prior to the Glastron Internet boat sale, which commenced in mid-April 2001.

16. I own no interest in MRD Holdings LLC, the assignee of the above-identified patent application, or in Mr. Duchow's patent application.

17. I am aware that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 4 day of MAY, 2003 at <location> 1111 E. TOLLEY

DES PLAINES, IL.
60018

Jon Schepke
JON SCHEPKE